



STATE OF INDIANA

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January 11, 2010

Mr. Douglas Krasnoff
Via email: douglaskrasnoff@yahoo.com

Re: Informal Inquiry 10-INF-57; Wishard Health Services

Dear Mr. Krasnoff:

This is in response to your informal inquiry regarding whether Wishard Health Services ("WHS") is a public agency that must comply with the Access to Public Records Act ("APRA"), Ind. Code § 5-14-3-1 *et seq.* Pursuant to Ind. Code § 5-14-4-10(5), I issue the following opinion in response to your inquiry. My opinion is based on applicable provisions of the APRA. I have enclosed WHS' response for your reference.

In response to your complaint, WHS concedes that it is a public agency under the APRA. WHS is a division of the Health and Hospital Corporation of Marion County ("HHC"), Indiana, which is organized in accordance with Ind. Code § 16-22-8-1. HHC is a municipal corporation and a political subdivision of the State of Indiana. WHS operates HHC's hospitals, medical facilities, and mental health facilities. The APRA defines a public agency as, among other things, a political subdivision, including a municipal corporation or special taxing district. *See* I.C. §§ 5-14-3-2(m)(2)(B); 36-1-2-13. WHS stipulates that it is not subject to the exception in section 2.1 of the APRA.

Based on this information, it is my opinion that WHS is a public agency subject to the requirements of the APRA.

If I can be of additional assistance, please do not hesitate to contact me.

Best regards,

A handwritten signature in black ink that reads "Andrew J. Kossack".

Andrew J. Kossack
Public Access Counselor

cc: Julie M. Conrad